

Attorney Docket No.: A-Attorney Docket No.: A-68271-2/RM/RMS/RM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

UMEK

Serial No. 09/626,096

Filed: July 26, 2000

For: SEQUENCE DETERMINATION
OF NUCLEIC ACIDS USING
ELECTRONIC DETECTION

Examiner: 1645

Group Art Unit: Not Yet Assigned

CERTIFICATE OF MAILING

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Assistant Commissioner for Patents, Washington, DC 20231
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Dated: 2-27-02

Signed: Christine P. Peters
Christine P. Peters

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
AND
STATEMENT OF RELATEDNESS

Assistant Commissioner
for Patents
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. Copies of the documents are enclosed.

In accordance with the provisions of 37 C.F.R. §§ 1.97(c) and 1.97(e)(1), the undersigned certifies that references 35, and 38-42 listed on the enclosed form PTO-1449 were cited in the International Search Report dated November 30, 2001, for a counterpart PCT application. A copy of the International Search Report for the counterpart PCT application is enclosed herewith. References that are listed on the International Search Report and not enclosed herewith were disclosed in a previous PTO 1449 submission.

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With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicants draw the Examiner's attention to the following patent applications;

1. United States Serial Number 08/873,597, filed June 12, 1997 and U.S.S.N. 08/911,589, filed August 14, 1997, now Patent No. 6,232,062; and U.S.S.N. 09/660,374, filed September 12, 2000.

2. U.S.S.N. 08/166,036, filed December 10, 1993, now Patent Number 5,591,578; U.S.S.N. 08/475,051, filed June 7, 1995, now Patent Number 5,824,473; U.S.S.N. 08/660,534, filed June 7, 1995, now Patent Number 5,770,369; U.S.S.N. 08/659,987, filed June 7, 1996, now abandoned; U.S.S.N. 08/709,265, filed September 6, 1996, now Patent Number 5,705,348; U.S.S.N. 08/709,263, filed September 6, 1996, now Patent Number 5,780,234; U.S.S.N. 08/873,598, filed June 12, 1997, now Patent Number 5,952,172; U.S.S.N. 08/946,679, filed October 8, 1997, now Patent Number 6,087,100; U.S.S.N. 09/100,507, filed June 19, 1998, now Patent Number 6,071,699; U.S.S.N. 09/306,749, filed May 7, 1999; U.S.S.N. 09/306,737, filed May 7, 1999, now Patent No. 6,177,250; U.S.S.N. 09/306,768, filed May 7, 1999, now Patent No. 6,277,576; U.S.S.N. 09/454,498, filed December 6, 1999, now Patent No. 6,268,149; U.S.S.N. 09/459,751, filed December 10, 1999, now Patent No. 6,268,150; U.S.S.N. 09/459,191, filed December 10, 1999, now Patent Number 6,180,352; U.S.S.N. 09/454,497, filed December 6, 1999, now Patent No. 6,200,761; U.S.S.N. 09/458,187, filed December 8, 1999, now Patent No. 6,238,870; U.S.S.N. 09/545,227, filed April 7, 2000, now Patent No. 6,258,545; U.S.S.N. 09/602,618, filed June 22, 2000; U.S.S.N. 09/845,746, filed April 30, 2001; and U.S.S.N. 09/866,067, filed May 23, 2001.

Serial No.: 09/626,096

Filed: July 26, 2000

3. U.S.S.N. 09/245,105, filed January 27, 1999.
4. U.S.S.N. 09/135,183, filed August 17, 1998.
5. U.S.S.N. 08/743,798, filed November 5, 1996, now Patent No. 6,096,273; U.S.S.N. 08/873,978, filed June 12, 1997; U.S.S.N. 08/899,510, July 24, 1997, now Patent No. 6,221,583; U.S.S.N. 08/911,085, filed August 14, 1997, now Patent Number 6,090,933; U.S.S.N. 09/557,577, filed April 21, 2000; and U.S.S.N. 09/577,429, filed May 22, 2000.
6. U.S.S.N. 09/306,653, filed May 6, 1999 and U.S.S.N. 09/452,277, filed February 3, 1999.
7. U.S.S.N. 09/134,058, filed August 14, 1998, now Patent No. 6,290,839; U.S.S.N. 09/338,726, filed June 23, 1999, now Patent No. 6,264,825; U.S.S.N. 09/440,371, filed November 12, 1999; U.S.S.N. 09/520,477, filed March 8, 2000; and U.S.S.N. 09/712,792, filed November 13, 2000.
8. U.S.S.N. 09/238,351, filed January 27, 1999 and 09/621,275 filed July 20, 2000.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

Serial No.: 09/626,096

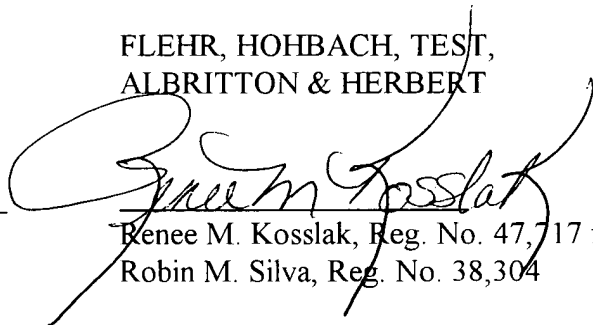
Filed: July 26, 2000

This Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of a national stage, or before the mailing date of a first Office Action on the merits, 37 C.F.R. § 1.97(b), and therefore no fee is required. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-68271-2/RFT/RMS/RMK).

Respectfully submitted,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

Dated: 2/27/02



Renee M. Kosslak, Reg. No. 47,717 for
Robin M. Silva, Reg. No. 38,304

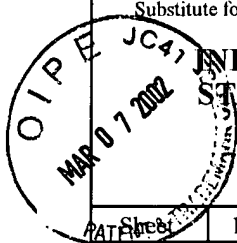
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	09/626,096
Filing Date	July 26, 2000
First Named Inventor	UMEK
Group Art Unit	1645
Examiner Name	Not Yet Assigned
Attorney Docket Number	A-68271-2/RFT/RMS/RMK

Sheet 1 of 3

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1	4,704,193		Bowers et al.	11/1987	
	2	4,787,963		MacConnell	11/1988	
	3	4,945,045		Forrest et al.	07/1990	
	4	5,089,112		Skotheim et al.	02/1992	
	5	5,180,968		Bruckenstein et al.	01/1993	
	6	5,242,828		Bergstrom et al.	09/1993	
	7	5,328,824		Ward et al.	07/1994	
	8	5,391,272		O'Daly et al.	02/1995	
	9	5,436,161		Bergstrom et al.	07/1995	
	10	5,443,701		Willner et al.	08/1995	
	11	5,571,568		Ribi et al.	06/1989	
	12	5,632,957		Heller et al.	05/1997	
	13	5,700,667		Marble et al.	12/1997	
	14	5,795,453		Gilmartin	08/1998	
	15	5,837,859		Teoule et al.	11/1998	
	16	5,849,486		Heller et al.	12/1998	
	17	6,060,023		Maracas	05/2000	
	18	6,060,327		Keen	05/2000	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ² (if known)				
	19	WO	97/31256	A3	Cornell Research Found.	08/1997		
	20	WO	97/41425	A1	Pence Inc.	11/1997		
	21	WO	98/51823	A1	Mosaic Technologies	11/1998		

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

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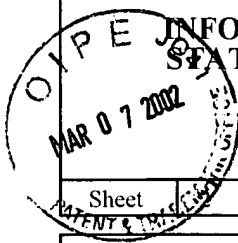
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/626,096
		Filing Date	July 26, 2000
		First Named Inventor	UMEK
		Group Art Unit	1645
		Examiner Name	Not Yet Assigned
Sheet <input type="checkbox"/> of <input type="checkbox"/> 3		Attorney Docket Number	A-68271-2/RFT/RMS/RMK

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	22	6,071,699		Meade et al.	06/2000	
	23	6,087,100		Meade et al.	07/2000	
	24	6,096,273		Kayyem et al.	08/2000	
	25	6,096,825		Garnier et al.	08/2000	
	26	6,107,080		Lennox	08/2000	
	27	6,177,250		Meade et al.	01/2001	
	28	6,180,352		Meade et al.	01/2001	
	29	6,200,761		Meade et al.	03/2001	
	30	6,203,758		Marks et al.	03/01	
	31	6,207,369		Wohlstadter et al.	03/2001	
	32	6,238,870		Meade et al.	05/2001	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ² (if known)				
	33	WO	98/57319	A1	Clinical Micro Sensors, Inc.	11/1999		
	34	WO	99/29711	A1	Nanogen Inc.	06/1999		
	35	WO	98/31839	A2	President and Fellows of Harvard College	07/1998		

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

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				Filing Date	July 26, 2000	
				First Named Inventor	UMEK	
				Group Art Unit	1645	
				Examiner Name	Not Yet Assigned	
				Attorney Docket Number	A-68271-2/RFT/RMS/RMK	
Sheet	3	of	3			

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